

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

INCUMBENCY SECUNDA)	Case No. 1:21 cv 1265
WILLIAMS,)	
)	Judge J. Philip Calabrese
Plaintiff,)	
)	Magistrate Judge
v.)	William H. Baughman, Jr.
)	
COMMON PLEAS COURT, <i>et al.</i>)	
)	
Defendants.)	
)	

OPINION AND ORDER

Pro se Plaintiff Incumbency Secunda Williams filed this action against the Common Pleas Court and Judge Stuart Friedman. The complaint is incomprehensible. In its entirety, it states:

I Secunda A. Williams-Starr, the fiduciary/certificate of incumbency daughter of the late Annie Lee Williams 7-12-2015 murdered in more than one way. Judge Stuart Friedman is responsible for Wynita Brown and all the other fugitives running around/behind I every day their friends with my husband Dwayne Conley. He lives with I. Conspiracy to murder the fiduciary Secunda A. Williams Rule 7 word street all or any are in all or any properties.

She does not include any legal claims or a request for relief. Plaintiff also filed an application to proceed *in forma pauperis*. (ECF No. 2.) The Court grants that application.

STANDARD OF REVIEW

Although *pro se* pleadings are liberally construed, *Boag v. MacDougall*, 454 U.S. 364, 365 (1982) (per curiam); *Haines v. Kerner*, 404 U.S. 519, 520 (1972), the Court is required to dismiss an *in forma pauperis* action under 28 U.S.C. §1915(e) if

it fails to state a claim upon which relief can be granted or if it lacks an arguable basis in law or fact. *Neitzke v. Williams*, 490 U.S. 319, 324 (1989); *Lawler v. Marshall*, 898 F.2d 1196, 1198 (6th Cir. 1990); *Sistrunk v. City of Strongsville*, 99 F.3d 194, 197 (6th Cir. 1996). A claim lacks an arguable basis in law or fact when it is premised on an indisputably meritless legal theory or when the factual contentions are clearly baseless. *Neitzke*, 490 U.S. at 327.

A cause of action fails to state a claim upon which relief may be granted where it lacks “plausibility in th[e] complaint.” *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 564 (2007). A pleading must contain a “short and plain statement of the claim showing that the pleader is entitled to relief.” *Ashcroft v. Iqbal*, 556 U.S. 662, 677-78 (2009). The factual allegations in the pleading must be sufficient to raise the right to relief above the speculative level. *Twombly*, 550 U.S. at 555. The plaintiff is not required to include detailed factual allegations, but must provide more than “an unadorned, the-Defendant-unlawfully-harmed-me accusation.” *Iqbal*, 556 U.S. at 678. A pleading that offers legal conclusions or a simple recitation of the elements of a cause of action will not meet this pleading standard. *Id.* In reviewing a complaint, the Court must construe the pleading in the light most favorable to the plaintiff. *Bibbo v. Dean Witter Reynolds, Inc.*, 151 F.3d 559, 561 (6th Cir. 1998).

ANALYSIS

To meet federal notice pleading requirements, Plaintiff’s complaint must give Defendants fair notice of the Plaintiff’s legal claims and the factual grounds on which they rest. *Bassett v. National Collegiate Athletic Ass’n*, 528 F.3d 426, 437 (6th Cir.

2008). Plaintiff's complaint does not contain coherent factual allegations, legal claims, or a request for relief. Therefore, it does not meet basic pleading requirements and fails to state a claim on which relief may be granted.

CONCLUSION

For the foregoing reasons, the Court **GRANTS** Plaintiff's application to proceed *in forma pauperis* (ECF No. 2) and **DISMISSES** this action under 28 U.S.C. § 1915(e). Pursuant to 28 U.S.C. § 1915(a)(3), the Court certifies that an appeal from this decision could not be taken in good faith.

SO ORDERED.

Dated: November 8, 2021

A handwritten signature in black ink, appearing to read 'J. Philip Calabrese', written over a horizontal line.

J. Philip Calabrese
United States District Judge
Northern District of Ohio